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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 MARICEL UNGUREANU,

10 Plaintiff,

11 v.

12 ERIC H. HOLDER,

Defendant.

Case No. C13-1666-RAJ-BAT

**REPORT AND
RECOMMENDATION**

13 Plaintiff, by counsel, filed a complaint on September 15, 2013. Dkt. 1. Because plaintiff
14 failed to submit proof of service as required by Federal Rule of Civil Procedure 4(l), the Court
15 on, January 22, 2014, directed plaintiff to provide proof of service by **January 29, 2014**, or show
16 cause by that date why the Court should extend the time to serve. Dkt. 3. Plaintiff was also
17 advised that the Court would recommend dismissal if plaintiff failed to respond to the order. *Id.*
18 Because plaintiff has failed to respond to the Court's order, and failed to submit proof of service,
19 despite the passage of more than 120 days since the complaint was filed, the Court recommends
20 the case be **DISMISSED** without prejudice under Rule 4(m).

21 Objections to this recommendation must be filed no later than **February 13, 2014**. The
22 Clerk should note the matter for **February 14, 2014**, as ready for the District Judge's
23 consideration. Objections shall not exceed seven pages. The failure to timely object may affect

1 the right to appeal.

2 DATED this 30th day of January, 2014.

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5 BRIAN A. TSUCHIDA
6 United States Magistrate Judge
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